

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

<b>WAYNE E. MITCHELL,</b>	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 7:12-cv-00004</b>
	)	
<b>v.</b>	)	<b><u>FINAL ORDER</u></b>
	)	
<b>WESTERN VA REGIONAL JAIL, et al.,</b>	)	<b>By: Norman K. Moon</b>
<b>Defendants.</b>	)	<b>United States District Judge</b>

In accordance with the Memorandum Opinion entered this day, it is hereby

**ADJUDGED AND ORDERED**

that Mitchell's motion to proceed *in forma pauperis* (Docket No. 5) is **GRANTED**; this action is **DISMISSED** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and this case is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a copy of this order and accompanying memorandum opinion to the parties.

**ENTER:** This 26th day of March, 2012.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE